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Cc: CN=Dave Kluesner/OU=R2/O=USEPA/C=US@EPA[]
From: CN=Alice Yeh/OU=R2/O=USEPA/C=US
Sent: Wed 5/20/2009 8:14:31 PM
Subject: Fw: Application by Center Point Terminal Newark
TAG-USACE-CenterPoint-09053.doc
(embedded image)

I called and left a message - Just wanted to double-check that you wanted this issue on the agenda of the next Passaic River-Newark Bay Project Delivery Team (PDT) meeting on June 3? I'm finishing up the agenda soon.

----- Forwarded by Alice Yeh/R2/USEPA/US on 05/20/2009 04:12 PM -----

"Anne Kruger" <akruger@verizon.net>

05/18/2009 12:38 PM

To <Steven.A.Schumach@usace.army.mil>, Alice Yeh/R2/USEPA/US@EPA,
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cc

Subject Application by Center Point Terminal Newark

To: Regulatory Branch, New York District, US Army Corps of Engineers
Project Development Team, Lower Passaic River Restoration Project
Re: Application by Center Point Terminal Newark, LLC
Corps of Engineers Public Notice:
<<http://www.nan.usace.army.mil/business/buslinks/regulat/pnotices/2008314.pdf>>
Public Notice Number: NAN-2008-00314-WSC
From: Anne L. Kruger, Ph.D., Technical Advisor, Diamond Alkali Superfund Site (Lower Passaic River and Newark Bay)
Ella F. Filippone, Executive Administrator, Passaic River Coalition
Date: 18 May 2009

Overview of Application:

Center Point Terminal Newark, LLC, proposes to replace an existing barge booth on the west side of the Lower Passaic River near river mile 0 opposite Kearny Point. The barge terminal is located at 678 Doremus Avenue, Newark. It is about 3 miles downstream from the site of the Diamond Alkali plant which produced Agent Orange during the Vietnam War, and where dioxin was dumped into the Passaic River. The sediments in the Passaic River at this barge terminal are badly contaminated with dioxin, PCBs, and other pollutants.

It is difficult to estimate from the Work Description provided by the applicant how much of the contaminated sediment in the river would be disturbed by replacing and/or rehabilitating the existing barge berth. The Work Description states the over 1,400 cubic yards of previously-placed fill material would be removed from "waterward of the Spring High Water line" and "disposed upland at a State-approved placement site outside of Department of the Army Regulatory jurisdiction." This material would be contaminated, and to the best of our knowledge there is no placement site approved by the State of New Jersey.

Recommendations:

S Application should be discussed by Project Development Team of Lower Passaic River Restoration Project on 3 June 2009.

S The public comment period should be extended.

S We are advocating that a processing facility for dredged sediments and contaminated soil, such as that proposed to be removed from this barge terminal, be developed in the Newark Bay area. This processing facility would store dredged sediments temporarily on land, and then treat them so that they could be used beneficially. Such a facility has long been needed so that harbors along the East Coast can be dredged and revitalized, and so that Brownfields can be reused to the economic benefit of the region. We urge both the Corps and the Port Authority to pursue expeditiously the development of an upland sediment treatment and disposal facility in the Newark Bay area. We will be willing to work with the Corps, the Port Authority, and the communities involved so that an upland facility can be built,

S This project and other improvement projects along the Passaic River and Newark Bay are needed, but let's clean up the river and bay first.